

GP/2828



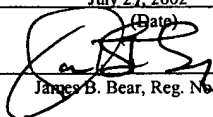
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant : Fermann, M.
Appl. No. : 09/785,944
Filed : February 16, 2001
For : MODE-LOCKED
MULTI-MODE FIBER LASER
PULSE SOURCE
Examiner : Flores Ruiz, D.

) Group Art Unit 2828
)
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) James B. Bear, Reg. No. 25,221

AMENDMENT

United States Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Dear Sir:

This is a response to the Office Action mailed 04/24/02. Claims 1-50 and 55-58 are pending in this application.

REMARKS

Claims 1-19, 22-47, 50, and 55-58 were rejected under 35 U.S.C. § 103(a) as obvious in view of U.S. Patent No. 6,249,630 B1 to Stock et al and U.S. Patent No. 5,627,848 to Fermann et al. These rejections are respectfully traversed for the reasons discussed below.

The Stock et al reference does not qualify as prior art because it was not filed before the present application. The present application was filed on February 16, 2001. However, the present application is a continuation application of Serial No. 09/199,728, which was filed on November 25, 1998. The Stock et al application was filed on January 19, 1999. Thus, the present application has an effective filing date prior to the filing date of Stock et al. Therefore, Stock et al does not qualify as prior art under 35 U.S.C. § 102 nor 35 U.S.C. § 103.

Without the Stock et al reference, Fermann et al (US 5,627,848) does not qualify as a valid 35 U.S.C. § 103 reference. This is evident from page 7 of the 04/24/02 Office Action, in

*Drawings
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Examiner
1/20/03*

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Response*